

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on <u>January 23, 2003</u>	
Caroline Wei-Berk Name of Attorney/Agent	45,703 Registration No.
<u>Caroline Wei-Berk</u> Signature of Attorney or Agent	

P&G Case 8768M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Desai et al. : Confirmation No.: 7299  
 Serial No.: 10/288,095 : Group Art Unit: 3761  
 Filed: November 5, 2002 : Examiner

For: Variable Stretch Composites and Methods of Making the Composite

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

**1.  37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)**

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

**2.  37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)**

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

**3.  37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event

that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2)  
OR (3) MARKED WITH AN (X) ABOVE.**

(a)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

**4.  37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)**

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

**5.  Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).**

**6.  37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

- Copies of the cited documents are enclosed.
- Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.
- Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.
- Additional information is attached.

Respectfully submitted,

By Caroline Wei-Berk  
Caroline Wei-Berk  
Attorney for Applicants  
Registration No. 45,203  
(513) 626-1139

Date: Jan. 22, 2003

Customer No. 27752

(IDS.doc)  
(Last Revised 5/21/02)

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PTO/SB08A (10-01)

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Substitute for form 1449A/PTO

COMPLETE IF KNOWN

Application Number	10/288,095
Confirmation Number	7299
Filing Date	November 5, 2002
First Named Inventor	Fred Naval Desai
Group Art Unit	3761
Examiner Name	
Attorney Docket Number	8768M

SHEET 1 of 2

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

### U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	DOCUMENT NUMBER		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
	1	US-2,413,970		01/07/1947	HAWLEY, JR.	
	2	US-3,687,754		08/29/1972	STUMPF	
	3	US-3,708,361		01/02/1973	STUMPF	
	4	US-3,816,228		06/11/1974	STUMPF	
	5	US-4,618,384		10/21/1986	SABEE	
	6	US-4,705,584		11/10/1987	LAUCHENAUER	
	7	US-4,834,741		05/30/1989	SABEE	
	8	US-4,968,313		11/06/1990	SABEE	

### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	9	EP 0 472 942		B1	09/20/1995	ZELAZOSKI ET AL.		
	10	EP 0 745 433		B1	06/27/2001	HAGEMEISTER ET AL.		
	11	WO 96/38114		A1	12/05/1996	HAGEMEISTER ET AL.		
	12	WO 00/07532		A1	02/17/2000	LENDER ET AL.		
	13	WO 00/07533		A1	02/17/2000	LENDER ET AL.		
	14	WO 01/00053		A1	01/04/2001	BRUNNER		
	15	WO 01/00915		A1	01/04/2001	MORMAN ET AL.		
	16	WO 01/15645		A1	03/08/2001	TANZER ET AL.		
	17	WO 01/87212		A1	11/22/2001	OLSON ET AL.		
	18	WO 01/87213		A1	11/22/2001	BOGGS ET AL.		
	19	WO 01/87214		A1	11/22/2001	MAY ET AL.		
	20	WO 01/87588		A2	11/22/2001	MAY ET AL.		
	21	WO 02/053003		A2	07/11/2002	BAER ET AL.		

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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22	US-5,055,103	10/08/1991	NOMURA ET AL.		
23	US-5,156,793	10/20/1992	BUELL ET AL.		
24	US-5,232,777	08/03/1993	SIPINEN ET AL.		
25	US-5,356,683	10/18/1994	EGOLF ET AL.		
26	US-5,431,644	07/11/1995	SIPINEN ET AL.		
27	US-5,440,764	08/15/1995	MATSUSHITA		
28	US-5,487,780	01/30/1996	RITTER		
29	US-5,681,302	10/28/1997	MELBYE ET AL.		
30	US-5,749,865	05/12/1998	YAMAMOTO ET AL.		
31	US-5,843,057	12/01/1998	MCCORMACK		
32	US-5,863,330	01/26/1999	LE RICHE ET AL.		
33	US-5,885,722	03/23/1999	RITTER		
34	US-5,910,224	06/08/1999	MORMAN		
35	US-5,964,973	10/12/1999	HEATH ET AL.		
36	US-6,069,097	05/30/2000	SUZUKI ET AL.		
37	US-6,139,675	10/31/2000	DRUECKE ET AL.		
38	US-6,193,701	B1	02/27/2001	VAN GOMPEL ET AL.	
39	US-6,245,050	B1	06/12/2001	ODORZYNSKI ET AL.	
40	US-6,313,372	B1	11/06/2001	SUZUKI	
41	US-6,323,389	B1	11/27/2001	THOMAS ET AL.	
42	US-Re. 35,687		12/09/1997	IGAUE ET AL.	

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### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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